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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,757	06/27/2001	James Brian Vrotacoe	600.1168	4850

7590

07/18/2003

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EXAMINER

FUNK, STEPHEN R

ART UNIT.

PAPER NUMBER

2854

DATE MAILED: 07/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/893,757

Applicant(s)

VROTACOE ET AL. 

Examiner

Stephen R Funk

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claims 1 - 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 2 the recitation "continuously axially-moving and manufactured" renders the scope of the claim unclear as the terms appear to imply structure of the device for continuously moving and continuously manufacturing the base sleeve. However, no such structure is positively recited in the claim. Accordingly, it is unclear whether or not the claim is drawn to a device having structure for continuously moving and continuously manufacturing the base sleeve.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 4 and 8 - 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over ~~Castelli et al. ('343) in view of Cushner et al. ('019) and McConnell ('610).~~ Castelli et al. teach a device for manufacturing a printing blanket comprising a base sleeve (21), a liquid applicator (31, 32) applying a radiation curing polymer, and a radiation source (38) for curing the polymer. Castelli et al. do not teach continuously manufacturing and axially moving the base sleeve (21). See the entire document of Castelli et al. Cushner et al. teach applying a curable layer to a continuously axially moving base sleeve. See column 2 line 48 - column 3 line 20, column 4 line 62 - column 5 line 28, column 7, and Figures 1 and 4 of Cushner et al., for example. McConnell teaches the desirability of continuously manufacturing a base sleeve. See column 5 lines 4 - 17

of McConnell, for example. It would have been obvious to one of ordinary skill in the art to provide the device of Castelli et al. with the capability of continuously moving a base sleeve in view of Cushner et al. so as to move the sleeve past the various processing stations and with the capability of continuously forming the base sleeve and blanket in view of McConnell so as to more quickly produce multiple printing blankets. With respect to claim 3 see column 7 lines 63 - 67 of Castelli et al. it would have been obvious to one of ordinary skill in the art to provide the device and method of Castelli et al. with a second applicator to apply at least one of the overlying layers disclosed by Castelli et al. With respect to claims 8 and 11 the base sleeve (21) of Castelli et al. is rotatable (36). With respect to claim 9 note the axially moving sleeve of Cushner et al., as addressed above. With respect to claim 12 see column 7 lines 52+ of Castelli et al.

Claims 5 - 7, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. in view of Cushner et al. and McConnell as applied to claims 1 - 4 and 8 - 13 above, and further in view of Schisler et al. ('793). Castelli et al. teach an infrared radiation curing compressible layer. Schisler et al. teach the conventionality of a UV radiation curing urethane compressible layer. See the Abstract, column 1 lines 40 - 61, column 6 lines 40 - 52, and column 9 lines 41 - 43 of Schisler et al., for example. It would have been obvious to one of ordinary skill in the art to provide the blanket of Castelli et al., as modified by Cushner et al. and McConnell, with a UV curing urethane layer in view of Schisler et al. so as to cure the compressible layer without exposing it to damaging high temperatures.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See column 8 lines 16 - 39 of Hatch et al. ('386), the paragraph bridging columns 6 and 7 of Gaworowski et al. ('487), and column 3 lines 15 - 41 of Lorig et al. ('322).

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

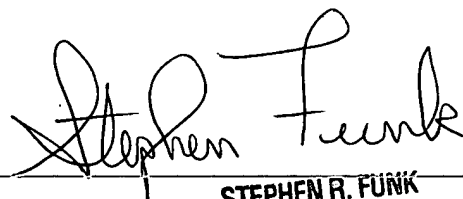
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk at telephone number (703) 308-0982. The examiner can normally be reached Monday - Thursday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (703) 305-6619.

The fax number for *official* papers is (703) 308-7722, 7724. The fax number for those wishing an auto-reply verifying receipt of *official* papers is (703) 872-9318 or for After-Final actions is (703) 872-9319. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 308-0956.

Stephen Funk
July 14, 2003



STEPHEN R. FUNK
PRIMARY EXAMINER